

MAY 28 2008

JEANNE G. QUINATA
Clerk of Court

JP
1455

DISTRICT COURT OF GUAM
TERRITORY OF GUAM

UNITED STATES OF AMERICA,
Plaintiff,
vs.
JULIUS CLAYTON BACOTE,
Defendant.

CRIMINAL CASE NO. 03-00014

RECEIPT OF EXHIBITS

☒ Government's ☐ Defendant's ☐ Joint

I hereby acknowledge receipt of the following exhibit(s) in the above-entitled case, which are listed herein.

EXHIBIT NO.

DESCRIPTION

See attached United States' Third Amended Exhibit List

Signature

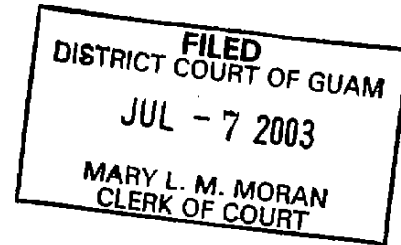
Name

Date

Office/Firm Receiving Exhibits

Evangelyn Phears
EVANGELYN PHEARS
5-28-08
UNITED STATES ATTORNEY'S OFFICE

COPY



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Attorneys for the United States of America

IN THE UNITED STATES DISTRICT COURT
FOR THE TERRITORY OF GUAM

UNITED STATES OF AMERICA,
Plaintiff,

vs.

JULIUS CLAYTON BACOTE,
and GARY WILLIAM HERR,

Defendants.

CRIMINAL CASE NO. 03-00014

**UNITED STATES' THIRD
AMENDED EXHIBIT LIST**

COMES NOW the United States and hereby files with the Court a Third Amended Exhibit List with the following revised exhibit 78, and supplemental exhibit 82 to be introduced in its case-in-chief:

Respectfully submitted this 7th day of July, 2003.

LEONARDO M. RAPADAS
United States Attorney
Districts of Guam and CNMI

By:

MARIVIC P. DAVID
Assistant U.S. Attorney

UNITED STATES' SECOND AMENDED EXHIBIT LIST

<u>NO.</u>	<u>DESCRIPTION</u>	<u>Date Identified</u>	<u>Admitted</u>
1.	Bank of Guam ("BOG") Deposit Account Agreement and Signature Card of Julius C. Bacote (#201522948)	7-10-03	7-9-03
2.	COLA check of \$1,148.88 dated 11/30/01 of Julius C. Bacote	7-10-03	7-9-03
3.	BOG Savings deposit slip of \$1,148.88 dated 12/18/01	7-10-03	7-9-03
4.	BOG Savings withdrawal slip of \$1,800 dated 01/09/02	7-10-03	7-9-03
5.	BOG Cash Out Credit slip of \$1,800	7-10-03	7-9-03
6.	GovGuam Income Tax Refund check of \$1,024.32 to Eugenia Elobet	7-10-03	7-9-03
7.	GovGuam Income Tax Refund check of \$570.98 to Maryusha Concepcion	7-10-03	7-9-03
8.	GovGuam check of \$2,085.12 to Brenda Ann Delisle	7-10-03	7-9-03
9.	GovGuam check of \$1,274.24 to Brenda Ann Delisle	7-10-03	7-9-03
10.	Jalpak check of \$700.00 to Yakiniku Jin Ro	7-10-03	7-9-03
11a.	BOG Savings deposit slip of \$1,274.24 dated 02/27/02	7-10-03	7-9-03
11b.	BOG Savings deposit slip of \$1,024.32 dated 12/27/01	7-10-03	7-9-03
12a.	BOG Savings deposit slip of \$700.00 dated 02/25/02	7-10-03	7-9-03
12b.	BOG Savings deposit slip of \$570.98 undated	7-10-03	7-9-03
12c.	BOG Savings deposit slip of \$2,085.12 dated 02/11/02	7-10-03	7-9-03
13.	BOG Statement of Savings Account - 04/30/00	7-10-03	7-9-03
14.	BOG Statement of Savings Account - 06/30/00	7-10-03	7-9-03
15.	BOG Statement of Savings Account - 07/31/00	7-10-03	7-9-03
16.	BOG Statement of Savings Account - 10/31/00	7-10-03	7-9-03
17.	BOG Statement of Savings Account - 11/30/00	7-10-03	7-9-03
18.	BOG Statement of Savings Account - 12/31/00	7-10-03	7-9-03
19.	BOG Statement of Savings Account - 01/31/01	7-10-03	7-9-03

NO. DESCRIPTION

**Date
Identified Admitted**

20. BOG Statement of Savings Account - 04/30/01

7-10-03 7-9-03

21. BOG Statement of Savings Account - 09/30/01

7-10-03 7-9-03

22. BOG Statement of Savings Account - 12/31/01

7-10-03 7-9-03

23/23a. BOG Statement of Savings Account - 01/31/02

7-10-03 7-9-03

24/24a. BOG Statement of Savings Account - 02/28/02

7-10-03 7-9-03

25. Savings Account Inquiry - 04/04/02

7-10-03 7-9-03

26. Journal Browse Report

7-10-03 7-9-03

27. BOG ATM Balanced Items sheet - 02/20/02

7-10-03 7-9-03

27a. Two ATM photos - 02/20/02

7-10-03 7-9-03

27b. One ATM photo - 02/20/02

7-10-03 7-9-03

27c. Four ATM photos - 02/20/02

7-10-03 7-9-03

28. BOG Posting Items Report sheet and
one ATM photo - 02/21/02

7-10-03 7-9-03

29a. BOG ATM Balanced Items sheet - 02/25/02
and one ATM photo - 02/22/02

7-10-03 7-9-03

29b. BOG ATM Balanced Items sheet - 02/19/02

7-9-03

30. Four ATM photos - 12/20/01

7-10-03 7-9-03

31. Four ATM photos - 12/20/01

7-10-03 7-9-03

32. Three ATM photos - 12/27/01

7-10-03 7-9-03

32a. Two ATM photos - 12/27/01

7-10-03 7-9-03

33. Three ATM photos - 12/27/01

7-10-03 7-9-03

34a. One ATM photo - 01/05/02

7-10-03 7-9-03

34b. Seven ATM photos - 01/05/02

7-10-03 7-9-03

34c. ATM Balanced Items sheet - 01/07/02

7-10-03 7-9-03

35. One ATM photo - 01/11/02

7-10-03 7-9-03

36. Six ATM photos - 01/15/02

7-10-03 7-9-03

<u>NO.</u>	<u>DESCRIPTION</u>	<u>Date Identified</u>	<u>Admitted</u>
37.	Two ATM photos - 01/16/02	7-10-03	7-9-03
38a-c.	Eleven ATM photos - 01/16/02	7-10-03	7-9-03
39.	Six ATM photos - 01/28/02	7-10-03	7-9-03
40.	Four ATM photos - 02/17/02	7-10-03	7-9-03
41.	Three ATM photos - 02/17/02; 02/18/02	7-10-03	7-9-03
42a.	Two ATM photos - 02/18/02; 02/19/02	7-10-03	7-9-03
42b.	One ATM photo and ATM Balanced Items sheet, 02/19/02	7-10-03	7-9-03
43a.	Four ATM photos - 02/28/02	7-10-03	7-9-03
43b.	ATM Balanced Items sheet, 03/01/02	7-10-03	7-9-03
44.	Two ATM photos - 03/06/02	7-10-03	7-9-03
45a.	Eight ATM photos - 03/04/02	7-10-03	7-9-03
45b.	ATM Balanced Items sheet - 03/05/02	7-10-03	7-9-03
46.	Five ATM photos - 03/05/02	7-10-03	7-9-03
47a/b.	Two ATM photos and a. Identified 7-10-03 ATM Balanced Items sheet - 03/05/02 b.	7-10-03	7-9-03
48.	Six ATM photos - 01/25/02	7-10-03	7-9-03
49a-c.	14 ATM photos - 01/25/02	7-10-03	7-9-03
50a.	Three ATM photos - 01/25/02	7-10-03	7-09-03
50b/c.	ATM Balanced Items sheet - 01/28/02	7-10-03	7-9-03
51a-c.	Nine ATM photos - 02/11/02	7-10-03	7-9-03
52a-c.	Eight ATM photos - 02/22/02	7-10-03	7-9-03
53a/b.	Two ATM photos and ATM Balanced Items sheet - 03/01/02	7-10-03	7-9-03
54.	Four ATM photos - 03/01/02	7-10-03	7-9-03

<u>NO.</u>	<u>DESCRIPTION</u>	<u>Date Identified</u>	<u>Admitted</u>
55.	BOG letter of May 6, 2003		Not admitted
56.	BOG General Information sheet - 05/06/03		Not admitted
57.	BOG Federal Deposit Insurance Corporation certificate	7-10-03	7-9-03
58.	GovGuam Income Tax Refund check of \$303.23 to Tanaka Eiko	7-10-03	7-9-03
59.	BOG Savings deposit slip of \$303.23 dated 01/14/02	7-10-03	7-9-03
60a.	BOG Statement of Savings Account (Herr) - 12/31/01	7-10-03	7-9-03
60b.	BOG Statement of Savings Account (Herr) - 02/28/02	7-10-03	7-9-03
60c.	Savings Account Inquiry; Basic Account Data (Herr) - 05/05/03	7-10-03	7-9-03
61a.	Bank of Guam ("BOG") Deposit Account Agreement and Signature Card of Gary W. Herr (#202246966) opened 8/10/01	7-10-03	7-9-03
61b.	Bank of Guam ("BOG") Deposit Account Agreement and Signature Card of Gary W. Herr/Yoon Hee Herr (#202246966) updated 9/24/01	7-10-03	7-9-03
62a.	BOG Statement of Savings Account (Herr) - 12/16/01	7-10-03	7-9-03
62b.	BOG Statement of Savings Account (Herr) - 01/15/02	7-10-03	7-9-03
62c.	BOG Statement of Savings Account (Herr) - 02/17/02	7-10-03	7-9-03
62d.	BOG Statement of Savings Account (Herr) - 03/17/02	7-10-03	7-9-03
63a.	Bank of Guam ("BOG") Deposit Account Agreement and Signature Card of Gary W. Herr (#0102113215) opened 8/10/01	7-10-03	7-9-03
63b.	Bank of Guam ("BOG") Deposit Account Agreement and Signature Card of Gary W. Herr/Yoon Hee Herr (#0102113215) updated 9/24/01	7-10-03	7-9-03
64.	PS Form 1583 - Gary W. Herr		7-9-03
65.	PS Form 1583 - Rosemary M. Concepcion	7-10-03	7-9-03
66.	PS Form 1583 - Joaquin C. Concepcion	7-10-03	7-9-03
67.	PS Form 1583 - Emily W. Tanaka	7-10-03	7-9-03
68.	PS Form 1583 - Brenda Delisle	7-10-03	7-9-03
69.	Warning & Waiver of Rights, 03/20/02 - Gary W. Herr		7-9-03

Not admitted for 7-11-03

NO. DESCRIPTION

**Date
Identified**

Admitted

70. Warning & Waiver of Rights, 05/09/03 - Gary W. Herr
71. Warning & Waiver of Rights, 07/31/02 - Julius Bacote
72. Application for Post Office Box - Julius C. Bacote
73. Post Office Box Fee Register - Julius C. Bacote
74. Jalpak letter of March 11, 2002
75. BOG Affidavit of Maker/Endorser re Yakiniku Jin Ro check
76. Affidavit of Claimant: Endorsement Forged
re Brenda A. Delisle, check of \$2,085.12
77. Affidavit of Claimant: Endorsement Forged
re Brenda A. Delisle, check of \$1,274.24
78. BOH Federal Deposit Insurance Corporation certificate
79. Pacific Security Alarm, Inc. Employment Application
- 80a.. Guam Driver's License - Julius C. Bacote
- 80b. Photograph of Julius C. Bacote
- 81a.. U.S. Passport - ^{photo copy of Gary Herr} Gary William Herr
- 81b. U.S. Merchant Mariner's Document - Gary William Herr
82. ATM Film Summary

7-10-03

7-9-03

7-10-03

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Excluded Not

Not
Admitted

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not admitted